

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

William Briggs,	)	C/A No.: 3:08-3877-JFA
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER RESOLVING
	)	PLAINTIFF'S MOTION TO
Bennett Motor Express, Inc.,	)	COMPEL DISCOVERY
Bennett Motor Express, LLC., and	)	
Earl Watkins, Jr.	)	
	)	
Defendants.	)	
_____	)	

This matter comes before the Court on Plaintiff's Motion to Compel [dkt. # 33] Answers to Interrogatories and Requests to Produce to Defendant Bennett Motor Express, LLC and Earl Watkins, Jr. The parties have reached an agreement that resolves Plaintiff's Motion to Compel. Specifically, the parties stipulate as follows:

1. Defendants provided answers to Plaintiff's discovery requests on September 4, 2009. In the responses, Defendants stated that they would provide supplemental responses to Interrogatory Nos. 4, 10, 17, 18, 19 and 20 and, further, would provide supplemental responses to Requests for Production Nos. 4, 14, 17, 18, 20, 21, 23, 25, 26, and 36.

2. Defendants hereby agree to provide full and complete supplemental responses to each of the discovery requests specifically referenced in paragraph 1. In the event that the information or documents requested by the respective discovery requests does not exist or is not available to Defendants and their counsel, Defendants shall respond accordingly in the supplemental responses. Defendants shall provide such responses by January 28, 2010.

Defendants agree to search the Defendants' computers, servers, and back up servers for information potentially responsive to the discovery requests referenced in paragraph 1.

3. Defendants also objected to the production of a recorded statement taken from Defendant Earl Watkins, Jr. following the incident at issue in this action based on the work product doctrine under Rule 26(b)(3), FRCP. However, Defendants hereby agree to produce the recorded statement of Defendant Watkins by January 14, 2010.

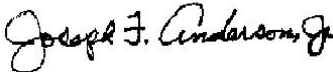
4. The parties expressly acknowledge and agree that Defendants' production of the recorded statement of Defendant Watkins in no way constitutes a waiver of any claim of privilege under the work product doctrine or the attorney client privilege with respect to any other information or documents that may be protected from disclosure pursuant to said privileges.

5. The Defendants shall provide an updated Privilege Log as to any information or documents withheld from production by January 28, 2010.

Based on the consent and stipulation of the parties, and for good cause shown, the Court concludes that Plaintiff's Motion to Compel is hereby resolved. Defendants shall provide supplemental responses as enumerated in the foregoing terms of this Order. The Clerk of Court is directed to make a docket entry resolving Plaintiff's Motion to Compel [dkt. # 33].

IT IS SO ORDERED.

December 29, 2009  
Columbia, South Carolina

  
Joseph F. Anderson, Jr.  
United States District Judge